



November 26, 2019

**BY ECF**

The Honorable LaShann DeArcy Hall  
United States District Judge  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

RE: *Ira Kleiman et al. v. Craig Wright*, No. 1:19-mc-02303-LDH (E.D.N.Y.)

Dear Judge DeArcy Hall:

We act as counsel for Plaintiffs in the above captioned matter and are writing to request a fourth and final seven-day extension to respond to Brendan Sullivan's Motion to Quash. Mr. Sullivan, through his counsel, has consented to this request. This extension will not affect any other scheduled dates.

Plaintiffs previously requested three extensions of time, ECF Nos. 3–5, which the court granted on September 19, October 9, and October 31. Plaintiffs sought those extensions because deadlines had been postponed in the underlying litigation while the parties attempted to reach a settlement. *See* Order, ECF No. 289, No. 9:18-cv-80176, *Kleiman v. Wright* (S.D. Fla. Oct. 9, 2019).

However, on October 30, Plaintiffs were informed that Defendant Craig Wright was “breaking” the nonbinding settlement agreement. *See* Plaintiffs' Expedited Motion To Depose Out Of State Witness, ECF No. 290 (S.D. Fla. Nov. 1, 2019). As a result, Plaintiffs have shifted back to preparing for trial and resumed active discovery, which must be completed by January 3, 2020. *See* Order, ECF No. 286 (S.D. Fla. Sep. 18, 2019).

Among the outstanding discovery is a Request for Admission that Plaintiffs served on Defendant Wright, requesting that he admit making the statements attributed to him in the article authored by Mr. Sullivan. *See* Request For Admission, ECF No. 299-2, (S.D. Fla. Nov. 20, 2019).

The deadline for Wright to answer the Request for Admission is December 2, 2019. That is the same day as the current deadline this Court set for Plaintiffs to respond to Mr. Sullivan's Motion to Quash.<sup>1</sup>

The Plaintiffs' therefore seek a one-week extension of the deadline to respond to the Motion to Quash, which will likely only be necessary if Wright denies making the statements attributed to him. If Wright admits to making the statements, Plaintiffs' will almost certainly deem

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<sup>1</sup> The Court's order set the deadline for December 1, 2019, which falls on a Sunday. Per Local Rule 6.4, the period continues to run until the end of the next day.



the subpoena served on Mr. Sullivan to have been satisfied by the declaration he attached to his motion, ECF No. 1-5, thereby mooted this dispute.

The change in circumstances and the potential to avoid unnecessary litigation constitute good cause for a fourth and final extension. FED. R. CIV. P. 6(b)(1). For those reasons, Plaintiffs' respectfully request that their time to respond be extended to December 9, 2019.

Sincerely,

/s/ Joseph Delich  
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